UNITED STATES DISTRICT COURT WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION 3:20-cy-256-MOC

KAREN M. NICHOLSON,)
Plaintiff,)
VS.)) <u>ORDER</u>
KILOLO KIJAKAZI,)
Commissioner of Social Security,)
Defendant.)

THIS MATTER IS BEFORE THE COURT on Plaintiff's Consent Motion for Fees Pursuant to the Equal Access to Justice Act 28 U.S.C. § 2412(d)(1)(A). (Doc. No. 27). Having reviewed the motion, supporting materials, memorandum in support, and the case file, the Court determines that Plaintiff should be awarded an attorney's fee under the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412(d), in the amount of \$4,900.00.

IT IS ORDERED that the Plaintiff's Motion for Fees Under the Equal Access to Justice Act 28 U.S.C. § 2412(d)(1)(A) filed is GRANTED, to the extent that the Court will award attorney fees in the amount of \$4,900.00, and that pursuant to Comm'r of Soc. Sec. v. Ratliff, 560 U.S. --, 130 S. Ct. 2521 (2010), the fee award will first be subject to offset of any debt Plaintiff may owe to the United States. The Commissioner will determine whether Plaintiff owes a debt to the United States. If so, the debt will be satisfied first, and if any funds remain, they will be made payable to Plaintiff and mailed to Plaintiff's counsel. If the United States Department of the Treasury reports to the Commissioner that the Plaintiff does not owe a federal debt, the government will exercise its discretion and honor an assignment of EAJA fees and pay the awarded fees directly to Plaintiff's

counsel, The Sasser Law Firm, P.A., and mailed to the office at 1101 East Morehead Street, Suite 350, Charlotte, North Carolina 28204, in accordance with Plaintiff's assignment to her attorney of her right to payment of attorney's fees under the Equal Access to Justice Act.

Signed: August 27, 2021

United States District Judge